
OLR Bill Analysis

HB 5161

AN ACT CONCERNING CHILD SEXUAL ABUSE MATERIAL.

SUMMARY

This bill replaces the term “child pornography” with “child sexual abuse material” in statutes that define the term and criminalize the possession, importation, and transmission of this material. These offenses include 1st, 2nd, and 3rd degree possession; importing; and possession and transmission by a minor. In changing the terminology, the bill retains the elements of, and penalties for, these crimes.

The bill similarly changes this terminology in statutes that (1) provide an affirmative defense under certain circumstances for the 1st, 2nd, and 3rd degree and misdemeanor possession offenses; (2) address the state’s care, custody, and control of such material in criminal proceedings; and (3) specify the offenses that constitute the basis for bringing an action to abate a public nuisance.

EFFECTIVE DATE: October 1, 2024

BACKGROUND

Definition of Child Pornography

By law, “child pornography” (“child sexual abuse material” under the bill) is any visual depiction (e.g., photograph, film, videotape, picture, or computer-generated image or picture) of sexually explicit conduct involving a person under age 16 engaging in sexually explicit conduct, whether made or produced electronically, digitally, mechanically, or by other means.

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 15 Nay 2 (02/29/2024)